

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS AND SANDRA :
HOPKINS h/w :
Plaintiffs :
: :
: :
vs. : **CIVIL ACTION**
: :
HARTFORD FIRE :
INSURANCE COMPANY :
Defendant : **NO. 02-CV-3207**

MOTION TO ENFORCE JUDGMENT WITH SANCTIONS

Plaintiffs through counsel moves that the judgment in favor of the plaintiffs be enforced and sanctions be imposed for defendant unjustified refusal to release the funds

FACTS

1. On May 24, 2002, plaintiffs instituted the instant action by filing a Complaint in the United States District Court for Eastern District of Pennsylvania.
2. A jury trial began on December 17, 2003 and on January 27, 2004 a judgment order was entered for the plaintiffs in the amount of \$54,400.00.
3. In early March 2004 counsel for plaintiffs and defendant stipulated to a prejudgment interest amount of \$3,751.11 and on March 29, 2004 the court entered the stipulated (unopposed) order.
4. As of the filing of this motion, it has now been nearly three months since the judgment order and one month since the stipulated order and defendant has failed to provide either payment.
5. Defendant has provided no explanation for its refusal to produce the original payment of \$54,400.00 in a timely manner after the judgment was entered.

There was no agreement to delay this payment until the interest amount was resolved.

6. Defendant has provided no explanation for its refusal to produce the interest payment in a timely manner after the figure was agreed to, weeks prior to the order of March 29, 2004.
7. Payment of these two amounts are mutually exclusive and neither should be delayed.

WHEREFORE, plaintiffs request sanctions in the amount of \$1,500.00 for defendant's refusal to provide payment in a timely manner and plaintiffs request that the defendant pay the two judgment amounts within 5 days of this order or suffer further sanctions in the amount of \$1,500.00.

Respectfully Submitted

Robert B. Ponziano, Esq.
Attorney for Plaintiffs
118 N. State Street
Newtown PA 18940
215 968 9518

Date _____